

1913448-Court-A- US B  
SCHNELLER AND LOMENICK, P.A.  
P.O. BOX 417

HOLLY SPRINGS, MS 38635

US Bankruptcy Courthouse  
703 Hwy 145 North  
Aberdeen, MS 39730

NOTICE

Northern Dist Of MS Aberdeen Division

Debtor 1: <u>CHIQUITA HAWK</u>	Last 4 digits of Social Security number or ITIN: <u>XXX-XX-4809</u>
	EIN: _____
Debtor 2: _____	Last 4 digits of Social Security number or ITIN: _____
	EIN: _____
Case Number: <u>19-13448-JDW</u>	Date Case Filed or Converted to Chapter 13: <u>August 26, 2019</u>

Form 309I (12/15)

NOTICE OF CHAPTER 13 BANKRUPTCY CASE

For the debtors listed above, a case has been filed under chapter 13 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors, the debtors' property, and certain codebtors. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

Confirmation of a chapter 13 plan may result in a discharge. Creditors who assert that the debtors are not entitled to a discharge under 11 U.S.C. § 1328(f) must file a motion objecting to discharge in the bankruptcy clerk's office within the deadline specified in this notice. Creditors who want to have their debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office by the same deadline. (See line 13 below for more information.)

To protect your rights, consult an attorney. All documents filed in this case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at www.pacer.gov).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in this case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

About Debtor 1:		About Debtor 2:	
1: Debtor's full name	CHIQUITA HAWK		
2: All other names used in the last 8 years			
3: Address	If debtor 2 lives at a different address:		
	6034 MARIANNA ROAD		
	HOLLY SPRINGS, MS 38635		
4: Debtor's attorney Name and Address	SCHNELLER AND LOMENICK, P.A. P.O. BOX 417	Contact phone	(662) 252-3224
	HOLLY SPRINGS, MS 38635	Email	
5: Bankruptcy trustee Name and Address	Locke D. Barkley 6360 I-55 North Suite 140 Jackson, MS 39211	Contact phone	(601) 355-6661
		Email	www.barkley13.com
6: Bankruptcy Clerk's office Documents in this case may be filed at this address.	US Bankruptcy Courthouse 703 Hwy 145 North	Hours open	
You may inspect all records filed in this case at this office or online a www.pacer.gov.	Aberdeen, MS 39730	Contact phone	

## 7: Meeting of creditors

Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend.

October 10, 2019 at 01:30 PM  
Date Time

Location: The Landers Center  
4560 Venture Dr  
Room 11  
Southaven, MS 38671

Creditors may attend, but are not required to do so.

The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.

## 8: Deadlines

The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.

**Deadline to file a complaint to challenge dischargeability of certain debts:**

**You must file:**

- a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f), or
- a complaint if you want to have a particular debt excepted from discharge under U.S.C. § 523(a)(2) or (4).

**Filing deadline:** December 09, 2019

**Deadline for all creditors to file a proof of claim (except governmental units):**

**Filing deadline:** November 04, 2019

**Deadline for governmental units to file a proof of claim:**

**Filing deadline:** February 24, 2020

### Deadlines for filing proof of claim:

A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at [www.uscourts.gov](http://www.uscourts.gov) or any bankruptcy clerk's office. If you do not file a proof of claim by the deadline, you might not be paid for your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed.

Secured creditors retain rights in their collateral regardless of whether they file a proof of claim.

Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.

**Deadline to object to exemptions:**

The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.

**Filing deadline:** 30 days after the conclusion of the meeting of creditors

## 9: Filing of plan

Miss. Bankr. L.R. 3015-1(d) requires the debtor to serve a copy of the plan and related notice on the Trustee, the US Trustee, and all creditors. The plan may contain a motion for valuation of security and/or a motion to avoid lien. Any objection to the plan or to any motion contained therein shall be in writing and filed with the Clerk of Court on or before October 24, 2019. Objections will be heard on November 12, 2019 at 01:30 PM, Oxford Federal Building, 911 Jackson Avenue, Oxford, MS 38655 unless otherwise ordered by the court.

☒ The debtor has filed a plan. The plan or a summary of the plan will be sent separately.

## 10: Creditors with a foreign address

If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadline in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

## 11: Filing a chapter 13 bankruptcy case

Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts according to a plan. A plan is not effective unless the court confirms it. You may object to confirmation of the plan and appear at the confirmation hearing. A copy of the plan will be sent to you later and the court will send you a notice of the confirmation hearing. The debtor will remain in possession of the property and may continue to operate the business, if any, unless the court orders otherwise.

## 12: Exempt property

The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors, even if the case is converted to chapter 7. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at [www.pacer.gov](http://www.pacer.gov). If you believe that the law does not authorize an exemption that debtors claimed, you may file an objection by the deadline.

### 13: Discharge of debts

Confirmation of a chapter 13 plan may result in a discharge of debts, which may include all or part of a debt. However, unless the court orders otherwise, the debts will not be discharged until all payments under the plan are made. A discharge means that creditors may never try to collect the debt from the debtors personally except as provided in the plan. If you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4), you must file a complaint and pay the filing fee in the bankruptcy clerk's office by the deadline. If you believe that the debtors are not entitled to a discharge of any of their debts under 11 U.S.C. § 1328(f), you must file a motion. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 8.

# CERTIFICATE OF MAILING

0004

Case 19-13448-JDW

Doc 6

Filed 08/28/19

Entered 08/28/19 12:27:06

Desc Main

Document

Page 4 of 5

Page 1 of 2

CASE: 1913448

TRUSTEE: 73

COURT: 387

TASK: 08-27-2019.00428145.N13REV

DATED: 08/28/2019

Court	US Bankruptcy Courthouse	703 Hwy 145 North Aberdeen, MS 39730
Trustee	Locke D. Barkley Suite 140	6360 I-55 North Jackson, MS 39211
Debtor	CHIKUITA HAWK	6034 MARIANNA ROAD HOLLY SPRINGS, MS 38635
799	000002 SCHNELLER AND LOMENICK, P.A.	P.O. BOX 417 HOLLY SPRINGS, MS 38635
	000016 CREDIT COLLECTION SERVICE	725 CANTON STREET NORWOOD, MA 02062
	000015 CARDIONET INC	P O BOX 508 MALVERN, PA 19355-0508
	000022 WAKEFIELD & ASSOCIATES PO BOX 50668	ATTN: BANKRUPTCY KNOXVILLE, TN 37950
	000023 MEDICAL FINANCIAL SERVICES STE 301	6555 QUINCE RD MEMPHIS, TN 38119
	000014 BAPTIST MEDICAL GROUP	P O BOX 17127 MEMPHIS, TN 38187
	000017 HEALTH FIRST FAMILY MEDICAL	PO BOX 334 BYHALIA, MS 38611
	000005 MARSHALL COUNTY CHANCERY CLERK	PO BOX 219 HOLLY SPRINGS, MS 38635
	000006 MARSHALL COUNTY TAX COLLECTOR	POST OFFICE BOX 40 HOLLY SPRINGS, MS 38635
	000024 REPUBLIC FINANCE- OLIVE BRANCH SUITE 106	8230 CAMP CREEK OLIVE BRANCH, MS 38654
	000009 REPUBLIC FINANCE- OLIVE BRANCH SUITE 106	8230 CAMP CREEK OLIVE BRANCH, MS 38654
	000019 ORTHOONE ORTHOPAEDICS & SPORT MED	PO BOX 1607 OLIVE BRANCH, MS 38654
	000013 BAPTIST DESOTO EMERGENCY DEPARTMENT	7601 SOUTHCREST PARKWAY SOUTHAVEN, MS 38671
	000011 RUSSELL D MOORE, III	1001 SW LINDA DRIVE CLINTON, MS 39056
	000010 CORPORATION SERVICE COMPANY	7716 OLD CANTON RD STE C MADISON, MS 39110
	000012 CT CORPORATION SUITE 101	645 LAKELAND EAST DRIVE FLOWOOD, MS 39232
	000021 UNITED CONSUMER FINANCIAL SERVICES	865 BASSET RD. WESTLAKE, OH 44145
	000007 ALLY FINANCIAL	PO BOX 130424 ROSEVILLE, MN 55113
	000018 NOVASOM INC	DEPT CH 17169 PALATINE, IL 60055
	000008 EXETER FINANCE CORP DEPT APS	4515 N SANTA FE AVE OKLAHOMA CITY, TX 73118

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DATED: 08/28/2019

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SOUND PHYSICIANS EM GREATER MEMPHIS

P O BOX 748113

LOS ANGELES, CA 90074

24 NOTICES

THE ABOVE REFERENCED NOTICE WAS MAILED TO EACH OF THE ABOVE ON 08/28/2019.  
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED ON 08/28/2019 BY /S/EPIQ Systems, Inc.

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\*CM - Indicates notice served via Certified Mail